

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. MJ 07-5257
)
Plaintiff,)
)
v.) DETENTION ORDER
)
ADAM YOUNG POSEY,)
)
Defendant.)
_____)

Offenses charged: Bank Robbery (two counts)

Date of Detention Hearing: December 26, 2007

The court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of any other person and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is charged with committing two bank robberies within the past three weeks.

01 (2) In 2003, he was convicted and sentenced in this court on two other counts of bank
02 robbery. He was on supervised release from that conviction at the time of the two robberies
03 charged in this case.

04 (3) Prior to these two recent bank robberies, defendant had been charged with four
05 violations of his supervised release, involving drug use, failure to comply with testing
06 requirements, and failure to participate in treatment, as directed.

07 (4) He has an extensive history of abuse of drugs and alcohol, and mental health issues.

08 (5) At the request of defense counsel, he was not interviewed by this court's pretrial
09 services officer.

10 (6) At the hearing December 26, 2007, defendant and his counsel did not oppose entry
11 of a Detention Order, without prejudice to the opportunity to move to re-open if sufficient new
12 evidence becomes available.

13 (7) There is a presumption of detention for a defendant charged with violations of
14 supervised release. Nothing in this record rebuts that detention. His detention in that case (CR02-
15 0593JET) makes the detention issue in this case basically moot.

16 It is therefore ORDERED:

17 (1) Defendant shall be detained pending trial and committed to the custody of the
18 Attorney General for confinement in a corrections facility separate, to the extent
19 practicable, from persons awaiting or serving sentences or being held in custody
20 pending appeal;

21 (2) Defendant shall be afforded reasonable opportunity for private consultation with
22 counsel;

- 01 (3) On order of a court of the United States or on request of an attorney for the
02 Government, the person in charge of the corrections facility in which defendant is
03 confined shall deliver the defendant to a United States Marshal for the purpose of
04 an appearance in connection with a court proceeding; and
- 05 (4) The clerk shall direct copies of this order to counsel for the United States, to
06 counsel for the defendant, to the United States Marshal, and to the United States
07 Pretrial Services Officer.

08 DATED this 27th day of December, 2007.

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10 John L. Weinberg
11 United States Magistrate Judge
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